

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

CLIFFORD MICHEL AND GUERDA  
LOUIS,

Plaintiffs,

V.

WORKRISE TECHNOLOGIES INC.,  
HCS RENEWABLE ENERGY LLC,  
and ROBERT BURNS,

Defendants.

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CAUSE NO. 1:21-cv-681

**ORDER**

Before the Court is the report and recommendation of United States Magistrate Judge Dustin Howell concerning Defendants Workrise Technologies, Inc. and HCS Renewable Energy LLC's (collectively, "Defendants") Partial Motion to Dismiss Plaintiffs' Second Amended Complaint for Failure to State a Claim (Dkt. 41). (R. & R., Dkt. 47). Plaintiffs Clifford Michel and Guerda Louis (collectively, "Plaintiffs") timely filed objections to the report and recommendation. (Objs., Dkt. 54).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Plaintiffs timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules Plaintiffs' objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Dustin Howell, (Dkt. 47), is **ADOPTED**.

**IT IS FURTHER ORDERED** that Defendants Workrise Technologies, Inc. and HCS Renewable Energy, LLC's Partial Motion to Dismiss Plaintiffs' Second Amended Complaint for Failure to State a Claim (Dkt. 41) is **GRANTED**.

**IT IS FINALLY ORDERED** that Plaintiffs' class claims of discrimination are **DISMISSED WITH PREJUDICE**. Plaintiffs' individual discrimination claims remain pending before the Court.

**SIGNED** on May 11, 2023.

A handwritten signature in blue ink, appearing to read "Robert Pitman", written over a horizontal line.

ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE